



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

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Ref: 8P-AR

Honorable Shaun Chapoose, Chairman
Ute Indian Tribe
Uintah and Ouray Indian Reservation
P.O. Box 190
Fort Duchesne, Utah 84026

Re: Invitation for Consultation and Coordination on Development of a Federal Implementation Plan on the Uintah and Ouray Indian Reservation

Dear Chairman Chapoose:

Thank you and your Tribal Council for meeting with Regional Administrator McGrath and others from the U.S. Environmental Protection Agency (EPA) Region 8 on July 22, 2015. As we conveyed to you during that meeting (EPA Region 8 has been considering possible mechanisms to establish federally-enforceable requirements to control volatile organic compound (VOC) emissions from oil and natural gas production-related activities, for all Indian country lands within the Uintah and Ouray Indian Reservation. Between July 22, 2015 and the date of this letter, EPA Region 8, along with representatives from the Ute Indian Tribe and the State of Utah, engaged in preliminary discussion meetings with various stakeholders within the Uinta Basin, including oil and gas developers, environmental groups and federal land partners, to inform our assessment of air quality issues.

With this letter, we are inviting consultation and coordination with the Ute Indian Tribe as we develop a Federal Implementation Plan (FIP) specific to the Uintah & Ouray Reservation, as an initial step in controlling VOC emissions from oil and natural gas production operations during the production and storage of hydrocarbon reservoir fluids prior to being transferred off site for sale or treatment. The EPA intends with this Reservation-specific FIP, to address concerns regarding air quality in the Uinta Basin and to provide those residing within the Reservation with equivalent air quality protections as those residing outside the Reservation. Thus, this rulemaking will regulate oil and gas production operations on all Indian country lands within the Uintah and Ouray Reservation in a similar fashion as those operations subject to the Utah Department of Air Quality requirements, with the aim of establishing consistent air quality protections throughout the Uinta Basin.

We conduct this consultation and coordination process consistent with the *EPA Policy on Consultation and Coordination with Indian Tribes* (www.epa.gov/tribal/consultation/consult-policy.htm). The EPA Region 8 invites you and/or your designated consultation representative(s) to participate in this process.

The EPA welcomes the opportunity to consult and coordinate with the Ute Indian Tribe. If you choose to consult about the FIP, we will work with your Tribal government to develop a consultation plan including a description of the process we would follow, opportunities for your input, and timeline for the

EPA to provide feedback and to complete the consultation. The agency's goal will be to ensure that you have an opportunity to provide Tribal input into this action.

EPA Region 8 plans to regularly coordinate and communicate with the Acting Director Uintah and Ouray Energy, Minerals and Air Quality Department, Bruce Pargeets. If you would prefer to designate an alternative representative for communications, please notify us of that person's name and contact information. We will continue to keep the Tribal government informed and will seek your input on development of the FIP.

Thank you very much for your attention to this matter. The EPA requests that you reply within 30 days of receiving this letter to let us know whether you desire to consult on development of the FIP. Please contact me at (303) 312-6392, or your staff can contact Noreen Okubo at (303) 312-6646 or Okubo.noreen@epa.gov, if you have any questions on this action. We look forward to hearing from you on this important matter.

Sincerely,

Darcy O'Connor
Acting Assistant Regional Administrator
Office of Partnerships and Regulatory Assistance

cc: Edred Secakuku, Vice-Chairman Business Committee, Ute Indian Tribe
Gordon Howell, Councilman
Tony Small, Councilman
Bruce Ignacio, Councilman
Ronald Wopsock, Councilman
Reannin Tapoof, Executive Secretary, Ute Indian Tribe
Minnie Grant, Ute Director Air Quality Division
Bruce Pargeets, Acting Director Minerals, Energy and Air Quality
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